

**Notice of Allowability**

Application No.

09/652,201

Examiner

Greg Cunningham

Applicant(s)

EPHANOV, ANTON

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE received 2/03/2005.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☒ The drawings filed on 31 August 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to amendment filed 2/3/2005.
2. The disposition of the claims is as follows: claims 1-16 are pending in the application. Claims 1, 5, 7, 11 and 13 are independent claims.

### ***Claim Rejections - 35 USC § 102 and 103***

3. In view of amended independent claims, review of cited references and search for prior art, 102 and 103 rejections are withdrawn.

### ***Allowable Subject Matter***

4. Claims 1-16 are allowed.
5. The following is an examiner's statement of reasons for allowance:

Applicant's amended independent claim 1 stands novel over the related prior art. For instance, while the related art of Brockway et al. (U.S. Patent Number 6,456,288 B1), does make use of a clip stack where it is a multi-resolution data structure comprising the resolution sets necessary for rendering an image. However the clip stack does not for at least one of the plurality of levels generate a stack of images representing mipmap levels, wherein each stack of images includes data representing a plurality of correlated images of increasingly reduced resolution" as claimed in independent claims 1, 5, 7, 11 and 13.

When compared to Farinelli, (Pub. No.: US 2004/0012604 A1), wherein a clip stack is essentially a partial MIPMAP that is dynamically updated; or contrasted with Sanz-Pastor et al., (US 6,747,649 B1), wherein SGI's InfiniteReality graphics engine provides a specialized mechanism called "Clip-Map," which, enabled through SGI's IRISPerformer API, provides a

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"virtual MIP-map" that handles texture paging transparent to the application and allows the texture map organization to be totally decoupled from the terrain geometry structure. Clip-mapping also transparently allows a terrain texture to be sparsely populated, meaning the overall terrain texture map can have varying resolutions at different areas. However neither Farinelli nor Sanz-Pastor et al. constitute prior art due to the priority date.

Therefore as claimed by the combined elements of amended independent claims 1, 5, 7, 11 and 13, the cited references and prior art of record lack separately and in combination the elements of amended claims. Claims 2-4, 6, 8-10, 12 and 14-16 depend from allowable independent claims 1, 5, 7, 11 and 13, respectively, and therefore are also allowed.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Responses***

7. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Cunningham whose telephone number is (571) 272-7784. The examiner can normally be reached on Mon. - Thurs. 7:00 AM to 5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Greg Cunningham  
Examiner  
Art Unit 2676

gfc

3/06/2005



MATTHEW C. BELLA  
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